

April 14, 1976

Garner-Ekker Mining Co.  
c/o Hal E. Garner  
Duchesne, Utah

Re: Mined Land Reclamation Act  
Exemption (MR 4)

Dear Mr. Garner:

After the meeting in Green River on February 26th, Ron Daniels and myself got together to come up with a 'statement of exclusion for the small operator'. As was pointed out then, if less than 500 tons of ore are removed per year, or if less than 2 acres of ground are disturbed regardless of tonnage, the operator is required only to sign a statement to that effect. I'm sending a copy of this statement which we call "Declaration of Exemption".

The Division is not trying to put the small miner out of business. Mine reclamation has been a part of the mining business all over the U.S. for a very long time. Now it's finally caught up with us here in Utah. We're trying to work this as smoothly as possible and still meet the requirements of the Act. Because of Utah's Mined Land Reclamation Act, the federal agencies such as the Bureau of Land Management (BLM), Forest Service, etc., have agreed not to hassle operators in Utah. Without the Act, all operators on federal land would be directly responsible to the U.S. Government!! The BLM is now pushing a Bill called The Organic Act which would invalidate claims on federal land and put everything, coal, oil shale, matlas, etc., up to the public for competitive bidding for the leasing rights. We're convinced that the Utah Mined Land Reclamation Act is a lot easier to swallow.

If we can be of help or answer any questions, please don't hesitate to call us.

Very truly yours,

James W. Carter,  
Engineering Geologist

JWC/lc